

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

**IN RE:**

**MOUNTAIN EXPRESS OIL COMPANY,  
  
Debtor.**

**Case No. 23-90147 (DRJ)  
(Chapter 11)**

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**MOUNTAIN EXPRESS OIL COMPANY,  
  
Plaintiff,**

**v.**

**Adversary No. 23-03096**

**IMPERIAL CAPITAL LLC, IMPERIAL  
RELIANCE, LLC, MOHAMMAD SAJJAD,  
AND ABRAR ABID,  
  
Defendants.**

**EMERGENCY MOTION FOR EXTENSION OF TIME  
TO ANSWER OR OTHERWISE RESPOND  
TO DEBTOR'S ADVERSARY COMPLAINT WITH CERTIFICATE OF SERVICE  
AND NOTICE OF OPPORTUNITY FOR HEARING**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

**EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE**

**EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.**

COMES NOW, Defendants Imperial Capital LLC, Imperial Reliance LLC, Mohammad Sajjad and Abrar Abid (collectively “**Defendants**”), and, pursuant to Local Rule 9013-1, file this *Emergency Motion for Extension of Time to Answer or Otherwise Respond to Debtor’s Adversary Complaint* (“**Motion**”). In support of this Motion, Defendants submit the following:

1. This Adversary Proceeding was filed on June 2, 2023.
2. Summons were issued on June 6, 2023.
3. Thus, Defendants’ answer date is July 6, 2023.
4. Defendants are filing a Motion Seeking Abstention (“**Abstention Motion**”) in this matter today.
5. Because the Abstention Motion is determinative of whether this matter will remain in this Court, the filing of an answer in this Court prior to a ruling may prove to be unnecessary and therefore a waste of valuable judicial resources.
6. Accordingly, Defendants seek an Order from this Court granting them an extension of time to respond to the Complaint to the date that is ten (10) days after the Court rules on the Abstention Motion.
7. This Motion is filed as an emergency motion, because the answer deadline is not automatically extended by filing the instant Motion and Defendants want to preserve their rights and defenses to the extent they are waivable.
8. Counsel for the Debtor has been consulted and indicates that the Debtor objects to this Motion for Extension of Time.
9. The date relief is needed to avoid the consequences of the emergency is July 6, 2023.

WHEREFORE, Defendants Imperial Capital LLC, Imperial Reliance LLC, Mohammad Sajjad and Abrar Abid respectfully request that the Court grant them an extension of time to respond to the Adversary Complaint in this matter to a date that is ten (10) days after the Court's ruling on the impending Motion to Abstain.

Dated: July 5, 2022

Respectfully submitted,

/s/ Tami J. Hines

Larry G. Ball, OBA No. 12205

Tami J. Hines, TX Bar No. 24133319

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**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 9013-1(i)**

Pursuant to Local Rule 9013-1(i), the undersigned hereby certifies that, to the best of her knowledge, all information set forth herein is accurate to the best of her knowledge.

s/ Tami J. Hines

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5th day of July 2023, I electronically transmitted the above and foregoing document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the ECF registrants associated with this case.

s/ Tami J. Hines